

County of Loudoun
Department of Planning
MEMORANDUM

DATE: October 27, 2010

TO: Sophie Fisher, Project Manager
Land Use Review

FROM: Pat Giglio, Planner
Community Planning

SUBJECT: SPEX 2010-0017 Loudoun County Transit

EXECUTIVE SUMMARY

The County of Loudoun, the applicant, is requesting a Special Exception to permit the construction of a stormwater management pond and future access road at the County Government Support Center located east of Sycolin Road (Route 643) at 41975 Loudoun Center Place, Leesburg. The proposal will support the planned Loudoun County Transit Maintenance and Operations Facility to be constructed west of the subject site where an existing stormwater management pond is located. The approximately 17-acre subject site is zoned JLMA 20 (Joint Land Management Area) and is planned for future governmental uses. The proposed stormwater management pond and roadway are in conformance with the public facilities, land use and green infrastructure policies of the Revised General Plan. Staff recommends approval of the Special Exception request with conditions.

BACKGROUND

The County of Loudoun, the applicant, is requesting a Special Exception to permit the construction of a stormwater management pond and future access road at the County Government Support Center located east of Sycolin Road (Route 643) at 41975 Loudoun Center Place Leesburg. The approximately 17-acre subject site is bound to the northwest by Loudoun County School's bus facility, to the northeast by an unnamed tributary of Sycolin Creek, to south by the Loudoun County Adult Detention Center and to the west by an existing stormwater management pond. The proposed stormwater management pond and future access road will support the planned Loudoun County Transit Maintenance and Operations Facility which will be constructed to the west of the subject site where an existing stormwater management pond is located.

The subject site is zoned JLMA 20 (Joint Land Management Area) under the Revised 1993 Loudoun County Zoning Ordinance, which permits General Government Uses in this zoning district by Special Exception. The Loudoun County Board of Supervisors approved SPEX-1986-0014 and CMPT-1986-0002, County Government Support Center, on June 9, 1986, which allowed governmental structures and uses on the 672 acre property where the subject site is located. However, the area of the approved Special Exception did not extend to include the approximately 17-acre portion of the property where the proposed stormwater management pond and future access road are located, therefore a separate Special Exception is required to permit these uses on the subject site.

The proposed stormwater management pond and future access road are located on the southern half of the subject site where no appreciable forest or tree cover exists. A review of County GIS records indicate that no floodplains, steep slope or wetlands are present in the area proposed for the construction, however, the northern and eastern portions of the site do contain forest cover, natural drainages and wetlands. The subject site is also located within the Ldn 60 1-mile noise contour of the Leesburg Executive Airport.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is located in the Town of Leesburg Joint Land Management Area (JLMA) (Revised General Plan, Chapter 6, *Land Use Map*). It is governed by the policies in the Revised General Plan and the Leesburg Area Management Plan (LAMP). The Revised General Plan designates the subject site for Business uses (Revised General Plan, Chapter 7, *Planned Land Use Map*). The public facilities policies in Chapter 3 and Chapter 9 and the Green Infrastructure policies in Chapter 5 of the Revised General Plan were used to evaluate the application.

ANALYSIS

A. LAND USE

Public facilities include public works generally supplied by a government organization (Revised General Plan, text, p. G-8). The County will determine the need for new public facilities and will identify suitable sites based on the Revised General Plan, appropriate area plans, land use, and growth policies (Revised General Plan, Policy 2, p. 3-6) and will encourage the continued use and enhancement of existing public facilities located in the JLMAs (Revised General Plan, Policy 2, p. 9-8).

The subject site is part of a larger property which has been designated as a County Public Facilities site (Revised General Plan, map, p. 3-7). The proposed infrastructure uses, a stormwater management pond and access road, will support existing and future public uses on the property.

The proposed stormwater management pond and access road on the subject site are consistent with the definition of a public facility and are in keeping with the public uses planned for the site.

B. EXISTING CONDITIONS

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Chapter 5, Green Infrastructure Policies, Policy 1). The County uses integrated management strategies for the Green Infrastructure to ensure that all land use planning and development respect and preserve the holistic nature of the elements of the Green Infrastructure (Revised General Plan, Chapter 5, Green Infrastructure Policies, Policy 2). Additionally, the County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, River and Stream Corridor Resources Policies, Policy 23). Mitigating wetland and stream impacts close to the impact area help maintain water quality and flood protection functions, as well as habitat.

A review of County GIS records indicate that no floodplains, steep slope or wetlands are located on the southern half of the subject site in the area proposed for construction, though this area does contain forest cover. A review of the submitted Tree Stand Evaluation and site visit by staff confirmed that the area proposed for construction is populated with eastern red cedar and other scrubby trees with no appreciable forest or tree cover worthy of preservation. The northern and eastern portions of the site which will remain undeveloped contain higher quality forest cover, natural drainages and wetlands which may be impacted by the outflow from the proposed stormwater management pond. Staff recommends the use of best management practices (BMP) and low impact development (LID) techniques in the design of the proposed stormwater water management pond to ensure the quality of the outflow from the pond.

The Plan places a priority on the protection of rivers, streams and wetlands; the retention of natural riparian forests and vegetation; and the preservation, buffering, and implementation of performance standards and best management practices (BMP) as part of a larger water protection strategy. The County encourages new developments to incorporate low impact development (LID) techniques which integrate hydrologically functional designs that minimize the volume of surface water run-off and reduces pollutants to better protect the integrity of receiving streams (Revised General Plan, Chapter 5, Surface Water Policies, Policy 17). The Plan also calls for the protection of surface water and groundwater resources from contamination and pollution to prevent the degradation of water quality in the watersheds (Revised General Plan, Chapter 5, Surface and Ground Water Resources, text).

Staff recommends developing conditions to ensure the use of best management practices (BMP) and low impact development (LID) techniques to dissipate, filter and treat surface water and stormwater on the subject site in conformance with Plan policies. Staff defers to the Environmental Review Team (ERT) and Engineering Division of the Department of Building and Development for further technical review.

RECOMMENDATIONS

Staff finds that the proposed stormwater management pond and access road on the subject site are in conformance with the public facilities, land use and green infrastructure policies of the Revised General Plan. Staff recommends approval of the Special Exception request with conditions.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning, via e-mail

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: October 15, 2010
TO: Jane McCarter, Project Manager, Department of Planning
FROM: Theresa M. Stein, Planner, Zoning Administration
CASE NUMBER AND NAME: SPEX 2010-0017, Loudoun County Transit
TAX/MAP PARCEL NUMBER: /60////////12/
MCPI: 191-16-9866

The property is zoned Joint Land Management Area – 20 (JLMA-20) under the Revised 1993 Loudoun County Zoning Ordinance, is within the Ldn60 - 1 Mile Airport Impact Overlay District, the Quarry Notification Overlay District, and contains major and minor floodplain, and very steep and moderately steep slopes. The location of the proposed improvements does not impact the slopes or floodplain. The special exception application is for General Government Use(s) to allow a road connection to (proposed) Crosstrail Boulevard and a stormwater management pond, both of which are accessory to the original special exception uses (SPEX 1986-0014). SPEX 1986-0014 approved a variety of government support facilities, however, the area subject to this proposed SPEX was not included in that application; therefore, the applicant seeks approval of a SPEX for the uses accessory to the original application. Staff reviewed the Statement of Justification, dated August 24, 2010 ("SOJ") and the Special Exception (SPEX) Plat, dated September 1, 2010, and has the following comments:

I. CONFORMANCE WITH JLMA-3 ZONING REGULATIONS (§2-1300):

1. Per the lot and building requirements in Table 2-1304, there are minimum yards required in the district. Add the yard requirements to sheet 1 of 4 of the SPEX plat.
2. Add to the General Notes of the SPEX plat that there are no structures proposed within the SPEX area.

II. OTHER:

3. Revise General Note 7 to specify the type of slopes present (moderate and very steep) and that such slopes are present within the SPEX area, but are not impacted by the proposed improvements.
4. On sheet 4, clarify the legend indicating moderately steep slopes.
5. On sheet 4, revise Note 3 to "Minor modifications to the location of the proposed connection to Crosstrail Boulevard may be permitted subject to the provisions of Section 6-1316(A) of the Zoning Ordinance". If the road access is generally in the same location, it may be found in substantial conformance with the plat.

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DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: December 3, 2010

TO: Sophia Fisher, Planning Department

FROM: William Marsh, Environmental Review Team (ERT) Leader

CC: Jimmy Edmonds and Ryan Sauder, Water Resources Team

SUBJECT: SPEX-2010-0017 Loudoun County Transit

ERT provides the following comments for the second submittal of this case:

1. The applicant has agreed to include oil-water separators or equivalent measures to treat stormwater hotspot pollution from the proposed transit center, consistent with Facilities Standards Manual (FSM) Section 5.320.E.4.a. Other hot spot areas that drain to the new pond need to be considered for treatment, too. These include the fuel depot and fleet parking areas that drain to the existing pond, and would also drain to the proposed pond. Replacing the existing wet pond with a new pond conforms the new pond design to the current FSM standards, per FSM Section 1.100. By themselves, wet ponds are not recognized as a treatment for hotspot pollutants, requiring installation of oil-water separators or equivalent measures upstream of the pond in locations that intercept the hotspot pollutants.
2. As previously stated, staff recommends confirmation of wetlands and Waters of the United States on site by a jurisdictional determination, and avoidance of wetland areas if possible. If a permit for wetland impact is required, and the threshold for compensatory mitigation is exceeded, staff encourages mitigation of these impacts in close proximity to the project area, consistent with federal and state permitting requirements. The project's impact on habitat, vegetation and water quality is an issue for consideration, per Section 6-1310(H) of the Revised 1993 Zoning Ordinance.
3. Staff encourages further consideration of water quantity design that exceeds current, minimum standards for adequate outfall and flood control by reducing runoff volume. In addition to achieving more LEED points for stormwater, considering design per the runoff reduction method will help inform the design process that anticipates impending regulatory changes at the state level for stormwater management. Built Environment policy 2 in Chapter 5 of the Revised General Plan (page 5-5) encourages a county role as "leader and facilitator" in achieving and facilitating a built environment of high quality.

Please contact me if you have additional questions.

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DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: October 25, 2010

TO: Jane McCarter, Planning Department

FROM: William Marsh, Environmental Review Team Leader

CC: Pat Giglio, Planning Department
Theresa Stein, Zoning Administration
Jimmy Edmonds and Ryan Sauder, Water Resources Team

SUBJECT: SPEX-2010-0017 Loudoun County Transit

The Environmental Review Team (ERT) has reviewed the special exception application and met with Planning and Zoning staff on October 18, 2010, also visiting the site on that day.

ERT provides the following comments:

1. Staff suggests consideration of the following design and construction scenarios that may arise during this project:
 - Staff is aware of recent wet pond dredging activity within Loudoun County, where the dredged sediment required special disposal due to toxicity. Considering that the existing pond drains areas of fueling stations and outdoor vehicle storage areas, special disposal requirements for excavated sediment may arise.
 - Per Section 5.225.B.6 of the Facilities Standards Manual (FSM), pond designs with a high dam embankment height are subject to dam safety design standards. Sheet 4 of 4 indicates that the dam embankment height may equal or exceed 18 feet, higher than the 15-foot threshold for this FSM requirement. Staff is available to discuss this requirement further at the applicant's request.
2. The relocated pond will treat a proposed stormwater "hotspot" use as well as existing hotspot uses at the fueling station and vehicle storage parking lots. Staff recommends that all hotspot uses will include or be retrofitted with oil-water separators located upstream of the pond, consistent with FSM Section 5.320.D.4.a .
3. Prior to special exception approval, staff recommends confirmation of wetlands and Waters of the United States on site by a jurisdictional determination, and avoidance of

wetland areas. If a permit for wetland impact is required, and the threshold for compensatory mitigation is exceeded, staff encourages mitigation of these impacts in close proximity to the project area, consistent with federal and state permitting requirements. Staff is available to work with the applicant on this issue.

4. Staff encourages a stormwater design that can achieve Site Selection Credit 6.1, stormwater quantity, of Leadership in Energy and Environmental Design (LEED). This credit is recognized by LEED-2009 as a "regional priority credit," meaning that earning this LEED point counts as two points. Further, the credit includes an exemplary credit option, potentially making this credit worth three points. Accordingly, staff recommends the following:

- If the drainage area to the pond equals or exceeds 50 percent, then include sufficient treatment capacity to reduce the storm volume from a 2-year, 24-hour storm by at least 25 percent. If the drainage area is less than 50 percent, then provide treatment capacity to maintain existing 1- and 2-year, 24-hour storm events' peak discharge rate and volume of flow.
- Maintain stream flow along the entire channel downstream of the existing pond outfall, while also restoring the stream channel. The proposed pond outfall will likely be located downstream of the existing pond outfall, thereby depriving a stream segment of flow, considered an "indirect impact" on wetlands and Waters of the United States. Staff recommends routing some (treated) storm runoff along the entire channel segment to maintain hydrology. Staff has also observed degraded channels along this stream and encourages restoration of the channel as part of this project. Such a commitment in addition to meeting SS Credit 6.1 could qualify as exemplary credit. Finally, such an approach may be eligible for state grant funding. Staff can work with the applicant on this recommendation.

Please contact me if you have additional questions.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: October 21, 2010

TO: Jane McCarter

FROM: Michael Clem, ERT Archaeologist

SUBJECT: SPEX 2010-0017 Loudoun County Transit

Staff has reviewed the Phase I archaeological survey interim management summary for the subject property prepared in July of 2009 by The William & Mary Center for Archeological Research. Two archaeological sites were identified. Neither was recommended for further study or was considered to be significant.

Staff concurs with these findings and does not recommend further archaeological work on the property.

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County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: October 25, 2010
TO: Jane McCarter, Project Manager, Department of Planning
FROM: Aaron T. Zimmerman, PTP, Transportation Planner/Engineer *A.Z.*
SUBJECT: SPEX 2010-0017 – Loudoun County Transit

Background

This Special Exception (SPEX) application seeks approval to construct an access road and storm water management pond on the site of the proposed Loudoun County Transit Maintenance and Operations Facility (TMOF). The facility was approved previously with SPEX 1986-0014 and is not subject to the special exception review. However, the proposed access road and storm water management pond will be located east of the TMOF on property that is outside of the original special exception area. The TMOF site is located on Loudoun Center Place, east of Sycolin Road (VA Route 643), south of the Tavistock Subdivision, and immediately north of the Loudoun County Adult Detention Center. A vicinity map is provided as ***Attachment 1***.

This referral is based on the review of materials received from the Department of Planning on September 30, 2010, including: (1) Information Sheet; (2) Statement of Justification, dated August 24, 2010; (3) Traffic Letter by Dewberry, dated June 28, 2010; (4) Traffic Study Checklist, dated July 26, 2010; and (5) Special Exception Plat prepared by Dewberry, dated September 1, 2010.

Existing, Planned and Programmed Transportation Facilities

The TMOF site (with storm water management pond and access road) is located in the Leesburg JLMA Policy Area on the eastern side of Loudoun Center Place approximately 4/10 mile east of Sycolin Road (VA Route 643), 3/10 mile south of the Tavistock Subdivision, and immediately north of the proposed Crosstrail Boulevard Extension. OTS' review of existing and planned transportation facilities is based on the Revised Countywide Transportation Plan (2010 CTP) and the Bicycle & Pedestrian Mobility Master Plan (2003 Bike & Ped Plan).

Sycolin Road (VA Route 643) runs in a general north-south direction starting at the Route 7 Bypass and traverses approximately 5 1/2 miles to Belmont Ridge Road (VA Route 659) where its name changes to Ashburn Farm Parkway (VA Route 900). The **2010 CTP** classifies this roadway as a Minor Collector. In the vicinity of the project site, Sycolin Road consists of one travel lane in each direction and has a posted speed limit of 35 MPH. Left- and right-turn lanes are in place on Sycolin Road at Loudoun Center Place. The **2010 CTP** calls for Sycolin Road, between Battlefield Parkway and Belmont Ridge Road, to be upgraded from its current R2 condition to a U4M and reclassified as a Major Collector with left- and right-turn lanes at all intersections. The **2003 Bike & Ped Plan** categorizes Sycolin Road as a “baseline connecting roadway” along which bicycle and pedestrian facilities are envisioned. Multi-use trails are in place along both sides of Sycolin Road in the vicinity of Loudoun Center Place.

Loudoun Center Place is a local road that forms a ‘T’ intersection with Sycolin Road (opposite the Leesburg Executive Airport) approximately 4/10 mile west of the project site and serves as an access drive for several Loudoun County facilities. The western portion of this roadway consists of two-lanes in each direction, a grassy median, and a stop sign posted at Sycolin Road. Further to the east, along the proposed TMOF’s site frontage, Loudoun Center Place consists of two unstriped lanes. The **2010 CTP** and **2003 Bike & Ped Plan** do not reference this street. There are currently no bicycle/pedestrian facilities along Loudoun Center Place.

Transportation Comment

1. The only trip generator located within the area subject to special exception review is the storm water management pond. It is expected that the pond would only generate approximately ten trips per month for maintenance purposes. This minor amount of traffic will not have a significant impact on the surrounding roadway network.

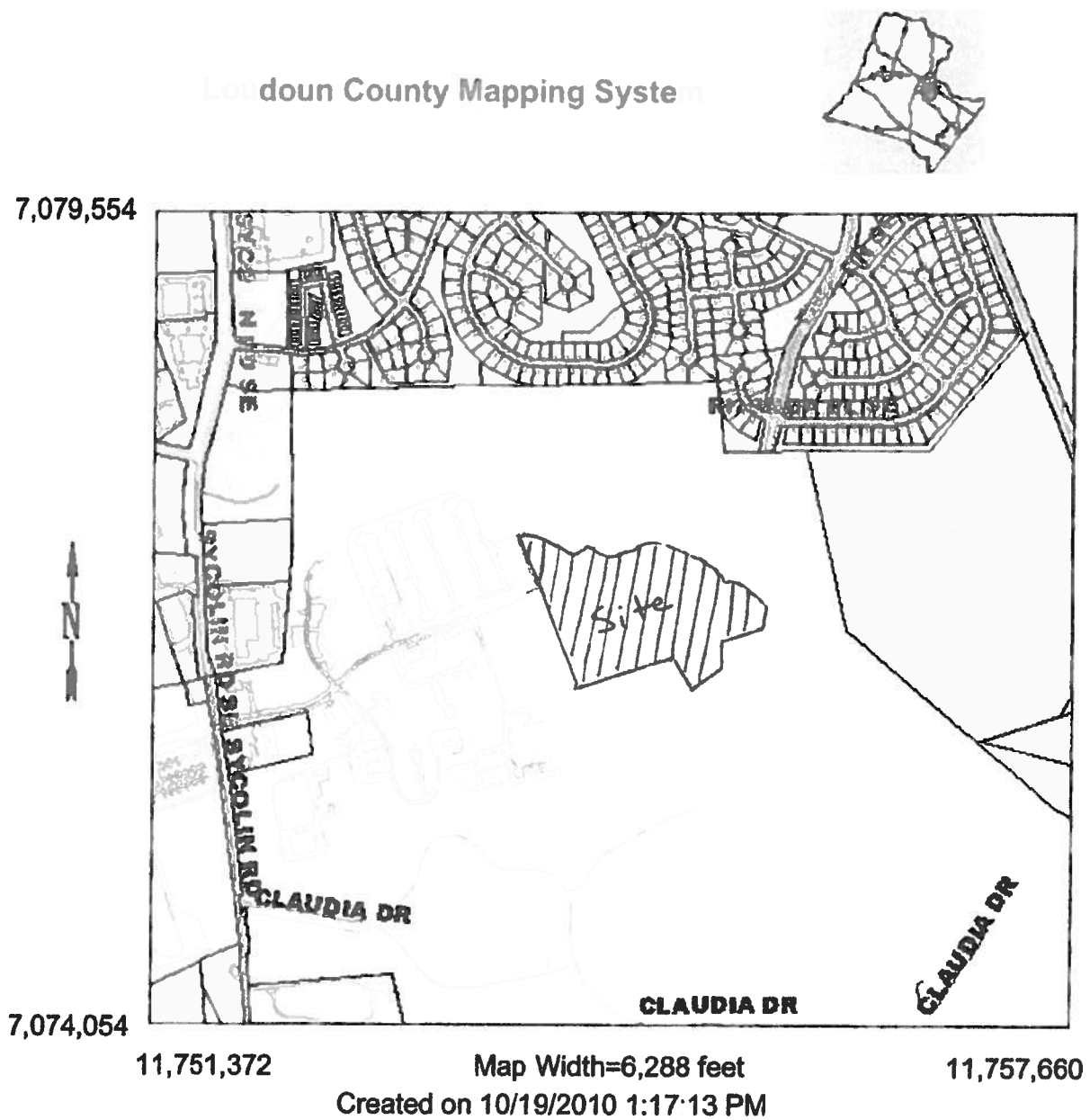
Conclusion

OTS does not have any objections to the approval of this application.

ATTACHMENT

1. Site Vicinity Map

cc: Andrew Beacher, Director, OTS
Nancy Gourley, Transit Division Manager, OTS
Lou Mosurak, Senior Coordinator, OTS
Charles Acker, Traffic Controller/Engineer, OTS



ATTACHMENT 1

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LOUDOUN COUNTY, VIRGINIA
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Jane McCarter, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: October 29, 2010
Subject: Loudoun County Transit
SPEX 2010-0017

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff has no comments.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Leesburg, VF-RC Travel Time
191-16-9866	Loudoun County Transit	5 minutes, 39 seconds (fire) 6 minutes, 31 seconds (rescue)

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Project name	Leesburg, VF-RC Response Times
Loudoun County Transit	7 minutes, 39 seconds (fire) 8 minutes, 31 seconds (rescue)

If you have any questions or need additional information, please contact me at 703-777-0333.

c: Project file

Teamw

ATTACHMENT 1f

* Service

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**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Sophia Fisher, Project Manager, Planning Department (MSC #62)
From:  Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Chairman, PROS Board
Robert C. Wright, PROS Board, Open Space Member
James E. O'Connor, PROS Board, Open Space Member
Date: November 2, 2010
Subject: Loudoun County Transit **SPEX 2010-0017**
Election District: Catoctin **Sub Planning Area:** Leesburg
MCPI #: 191-16-9866

BACKGROUND AND ANALYSIS:

The Loudoun County Department of Construction and Solid Waste Management is seeking approval of an access road and stormwater management pond which are accessory uses to the proposed Loudoun Transit Maintenance and Operations Facility. The area of the transit maintenance and operations facility is approximately 17 acres and part of previous special exception SPEX 1986-0014. The accessory use of the proposed stormwater management pond and the access road for the facility were not part of that special exception. The stormwater management pond will provide stormwater management and Best Management Practices for the developed watershed to this pond and the access road will provide an access for transit vehicles to future Crosstrail Boulevard and other destinations including the park and ride lot at the intersection of Claudia Drive and Sycolin Road. The Loudoun County Office of Construction and Waste Management plans to pursue a future special exception for a variety of uses to be constructed on the entire parcel.

The Philip A. Bolen Regional Park proposed to open in the spring of 2011, is located to the east of the site and proposed Crosstrail Boulevard. The proposed access road, stormwater management pond and future transit maintenance/operations facility appear to have no impact on the park and its operations. The department of Parks Recreation and Community Service has no objections to the approval of this application as presented.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

October 5, 2010

MEMORANDUM TO: Jane McCarter, Project Manager MSC # 62
Planning Department, Building & Development

FROM: John P. Dayton MSC #68
Sr. Env. Health Specialist
Division Of Environmental Health

SUBJECT: **SPEX 2010-0017, Loudoun Transit**
LCTM: 60/12, PIN 191-16-9866

This Department reviewed the package provided to this office and the plat prepared by Dewberry & Davis LLC dated **September 1, 2010**, and have no comment to the proposal.

If further information or clarification on the above project is required, please contact John Dayton at 737-8848.

ATTACHMENT 1h

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The Town of
**Leesburg,
Virginia**

25 West Market Street ■ P.O. Box 88 ■ 20178 ■ 703-777-2420 ■ Metro: 703-478-1821 ■ FAX: 703-771-2727 ■ www.leesburgva.gov

October 28, 2010

Jane McCarter, Project Manager
Loudoun County Department of Planning
1 Harrison Street, SE
P.O. Box 7000
Leesburg, VA 20177

RE: **SPEX 2010-0017** Loudoun County Transit SWM pond and future access road to
Crosstrail Blvd.

Dear Ms. McCarter:

Thank you for the opportunity to comment on the above mentioned application being processed by Loudoun County. The project is for a new stormwater management pond and private driveway adjacent to the County's transit maintenance and operations facility. The site is located on Loudoun Center Place within one-half mile of the town boundary in the Leesburg JLMA.

Town of Leesburg staff has reviewed the project and considered potential issues related to buffering and screening, transportation, and general site design. The closest development in the town to the project is the Kincaid Forest subdivision. While staff supports tree planting and landscaping, staff questions whether any landscaping would be effective for properties in the Town based on the limited scope of proposed uses in this special exception, the topography and existing landscape, and the distance between the neighborhood and the site. Still, staff recommends planting trees along the driveway and in the vicinity of the stormwater management facility as practicable.

Town staff defers to County transportation staff regarding the proper location and design of the private travelway in relationship to future Crosstrail Boulevard.

Please contact me at 703.771.2766 if you have questions.

Sincerely,

James P. ("Irish") Grandfield, AICP, Senior Planner
Department of Planning and Zoning, Town of Leesburg

Cc: Leesburg Town Council
Susan Berry Hill, Director PZD

Leesburg Planning Commission
Tom Mason, Director of Public Works

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AIRPORT REF 1 11-02-10.txt

From: Tim Deike [TDeike@leesburgva.gov]
Sent: Tuesday, November 02, 2010 4:19 PM
To: Fisher, Sophia
Subject: Stormwater Pond expansion

Sophia:

Good speaking with you this afternoon. The only comment I would have is to do what is necessary to prevent this pond from becoming a bird attractant. The County could plant trees around the circumference of the pond or shrubbery so as to make the pond unattractive for birds to land. Birds and Aircraft are not a good mix.

Respectfully,

Tim

Timothy B. Deike, A.A.E./C.A.E.
Leesburg Executive Airport Director
1001 Sycolin Rd. S.E.
Leesburg, VA 20175
Work: (703) 737-7126
FAX: (703) 737-7128
tdeike@leesburgva.gov

ATTACHMENT 1;

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I, Rich Brittingham, do hereby state that I am an

 Applicant

 X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): Loudoun County Transit SPEX 2010-0017

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (Listed in bold above)
191-16-9866	Loudoun County Board of Supervisors	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Scott York	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Jim Burton	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Eugene Delgaudio	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Susan Kimek Buckley	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Sally R. Kurtz	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Stevens Miller	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Andrea McGimsey	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Lori Waters	1 Harrison Street SE, Leesburg, VA 20177	Owner
	Kelly Burk	1 Harrison Street SE, Leesburg, VA 20177	Owner

	Loudoun County, Department of Construction & Waste Management	211 Gibson Street NW Suite 123 Leesburg, VA 20176	Applicant
	Lewis Rauch	211 Gibson Street NW Suite 123 Leesburg, VA 20176	Applicant
	Dewberry & Davis LLC	8401 Arlington BLVD Fairfax, VA 22031	Engineer/Architect Authorized Agent

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

☐ There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Dewberry & Davis LLC, 8401 Arlington Boulevard, Fairfax, VA 22301

Description of Corporation:

X There are 100 or fewer shareholders and all shareholders are listed below.

___ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

___ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

___ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
The Dewberry Companies LC	Member
James L. Beight	Member
Dennis M. Couture	Member

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
See Attached	

Check if applicable:

___ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

The Dewberry Companies LC, 8401 Arlington Boulevard, Fairfax, VA 22301

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Sidney O. Dewberry	The Michael Sidney Dewberry Credit Shelter Trust u/a/d 11/23/05 (f/b/o 4 minor children of Michael S. Dewberry)
Barry K. Dewberry	Michael Sidney Dewberry (deceased)
Karen S. Grand Pre	
Thomas L. Dewberry	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

____ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

<i>NAME</i> (First, M.I., Last)	<i>Title</i> (e.g. General Partner, Limited Partner, etc)

Check if applicable:

____ Additional Partnership information attached. See Attachment to Paragraph C-3.

4. ADDITIONAL INFORMATION

a. One of the following options **must** be checked:

☐ In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

☐ Additional information attached. See Attachment to Paragraph C-4(a).

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:

☐ Additional information attached. See Attachment to Paragraph C-4(b).

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state).

NONE

Check if applicable:

☐ Additional information attached. See Attachment to Paragraph C-4(c).

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

Phil Bruth

check one: ☐ Applicant or ☒ Applicant's Authorized Agent

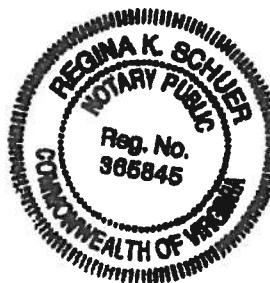
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 31 day of August 2010, in the State/Commonwealth of Virginia, in the County/City of Landover

Regina K. Schuer

Notary Public

My Commission Expires: January 31, 2013



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**STATEMENT OF JUSTIFICATION
LOUDOUN COUNTY TRANSIT
MAINTENANCE AND OPERATIONS FACILITY
Special Exception to permit General
Government Use in the JLMA-20 Zoning
District Section 2-1303 (E)
24 August 2010**

This Statement of Justification is submitted in support of an Application for Special Exception pursuant to Section 6-1300 of the Revised 1993 Loudoun County Zoning Ordinance (LCZO). This Application seeks the approval of an access road and stormwater management pond which are accessory uses to the proposed Loudoun County Transit Maintenance and Operations Facility. The County of Loudoun Department of Construction and Waste Management is the applicant/owner for this application. The property is identified as: Tax PIN 191-16-9866. This parcel is a +/- 670 acre parcel owned by the County of Loudoun east of Sycolin Road and south of the Tavistock Subdivision. The area of the transit maintenance and operations facility which is approximately 17 acres is shown as a part of previous special exception for SPEX 1986-0014 and the proposed facility is not subject to special exception review. The accessory use of the proposed stormwater management pond and the access road for the facility is subject to the requirements under Section 6-1300 of the Loudoun County Zoning Ordinance as these uses were not shown within the limits of SPEX 1986-0014. The stormwater management pond will provide stormwater management and Best Management Practices for the developed watershed to this pond and the access road will provide an access for transit vehicles to future Crosstrail Boulevard and other destinations including the park and ride lot at the intersection of Claudia Drive and Sycolin Road. The Loudoun County Office of Construction and Waste Management plans to pursue a future special exception for a variety of uses to be constructed on the entire parcel. The master planning effort and identification of these uses will require substantial funding, time and effort. Completion of this special exception for this individual project will utilize the funding available for this project through the Commonwealth of Virginia.

SPECIAL EXCEPTION STANDARDS FOR APPROVAL STANDARDS

The applicant submits that the proposed special exception on the subject property meets or satisfies the standard criteria set forth in Section 6-1310 of the 1993 Loudoun County Zoning Ordinance.

- (A) The proposed special exception use is consistent with the Comprehensive Plan. The proposed stormwater pond and access road are supportive uses of the adjacent business uses existing and proposed on the Sycolin Road property.
- (B) The proposed special exception use will adequately provide for safety from fire hazards and will have effective measures of fire control.
- (C) The noise level of the proposed special exception use will not negatively impact the uses in the immediate area.
- (D) The proposed special exception use will not generate glare of light and will not negatively impact uses in the immediate area.
- (E) The proposed special exception use is compatible with other existing uses in the neighborhood and adjacent parcels as its sole purpose is to provide best management practices and vehicular access to the adjacent properties.
- (F) Sufficient landscaping, screening, and buffering on the site will be added as required to adequately screen surrounding uses.
- (G) As stated in the Interim Management Summary, prepared by The William & Mary Center for Archeological Research on July 10, 2009, there are no historic architectural or archeological resources in the project area which can be classified under the National Register of Historic Places. While the construction of the stormwater pond and access road will alter existing topographic and physical features, it has been determined they are not of significant importance.
- (H) The proposed special exception use will not damage existing animal habitat, vegetation, water quality (including groundwater) or air quality and will provide best management practices which will enhance the water quality on site.
- (I) The proposed special exception use at this site will contribute to the welfare and convenience of the public and serve the surrounding residents and businesses by improving access for public transit vehicles off site and into the community.
- (J) The traffic expected to be generated by the proposed use will be adequately and safely served by existing roads surrounding the property. The only trip generating element is the stormwater management pond which will only generate, on average, less than ten trips per month.
- (K) There are no proposed structures as part of this special exception.
- (L) The proposed special exception use will be served adequately and will enhance essential public facilities and services.

- (M) The proposed special exception use will have no adverse effect on groundwater supply as no new construction requiring public water, is proposed.
- (N) The proposed special exception use will have no adverse effect on the structural capacities of the soils as no major loads will be placed onsite.
- (O) The proposed special exception use will not negatively impact orderly and safe road development and transportation. Road development and transportation will be enhanced through construction of the proposed access road.
- (P) The Special Exception will not directly provide employment and enlarge the tax base but it will encourage economic development activities consistent with the Comprehensive Plan, by allowing the further development of the Sycolin Road Property.
- (Q) The Special Exception takes into consideration the needs of agriculture, industry and businesses in future growth. No existing agricultural activity in the vicinity will be impacted by this special exception.
- (R) Adequate on and off-site infrastructure is available, and with the future Crosstrail Boulevard completion, site access will be more than adequate.
- (S) The proposed special exception use will not generate odors which may negatively impact adjacent uses.
- (T) The proposed special exception will use sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

CONCLUSION

The Loudoun County Transit Maintenance and Operations Facility was approved previously with SPEX 1986-0014, the applicant is requesting the current special exception in order to provide improved stormwater management onsite as well as improved access to major planned roadways.

Sincerely,

Rich Brittingham, RLA
Dewberry

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November 12, 2010

Loudoun County Department of Planning
1 Harrison Street, S.E.
3rd Floor
P.O. Box 88
Leesburg, VA 20177-7000

RE: Special Exception: Loudoun County Transit – SPEX 2010-0017

1st Submission Comment Response

Dear Ms. Fisher:

This letter addresses and provides you with a written response to the referral agency comments in the above referenced application. For your convenience, each of the staff comments are stated below and the applicant's responses follow in bold italics

ZONING ADMINISTRATION

I. CONFORMANCE WITH JLMA-20 REGULATIONS

1. Per the lot and building requirements in Table 2-1304, there are min. yards required in the district. Add the yard requirements to sheet 1 of 4 of the SPEX plat.

Minimum yard requirements have been added to Sheet 1.

2. Add to the General notes of the SPEX plat that there are no structures proposed within the SPEX area.

Note has been added.

II. OTHER

3. Revise General Note 7 to specify the type of slopes present and that such slopes are present within the SPEX area, but are not impacted by the proposed improvements.

Note has been revised.

4. On Sheet 4, clarify the legend indicating moderately steep slopes

Legend has been clarified.

5. On Sheet 4, revise Note 3 to “minor modifications to the location of the proposed connection to Crosstrail Boulevard may be permitted subject to the provisions of Section 6-1316(A) of the Zoning Ordinance”.

Note has been revised.

COMMUNITY PLANNING

A. LAND USE

Staff finds that the proposed Loudoun County Transit stormwater pond and access road are consistent with the definition of a public facility and are in keeping with the public uses planned for the site.

Comment acknowledged

B. EXISTING CONDITIONS

Staff recommends developing conditions to ensure the use of BMP and LID techniques to dissipate, filter and treat surface water and stormwater on the subject site in conformance with Plan policies. Staff defers to ERT and Engineering Division for further technical review.

Comment acknowledged. See ERT comment response section for BMP & LID responses

ENVIRONMENTAL REVIEW TEAM

1. Staff suggests consideration of the following design and construction scenarios that may arise during this project:
 - Staff is aware of recent wet pond dredging activity within Loudoun County, where the dredged sediment required special disposal due to toxicity. Considering that the existing pond drains areas of fueling stations and outdoor vehicle storage areas, special disposal requirements for excavated sediment may arise.
Comment acknowledged
 - Per Section 5.225.B.6 of the Facilities Standards Manual (FSM), pond designs with a high dam embankment height are subject to dam safety design standards. Sheet 4 of 4 indicates that the dam embankment height may equal or exceed 18 feet, higher than the 15-foot threshold for this FSM requirement. Staff is available to discuss this requirement further at the applicant's request.
The pond layout has been revised please see sheet 4.
2. The relocated pond will treat a proposed stormwater "hotspot" use as well as existing hotspot uses at the fueling station and vehicle storage parking lots. Staff recommends that all hotspot uses will include or be retrofitted with oil-water separators located upstream of the pond, consistent with FSM Section 5.320.D.4.a .
Structural oil - water separation will be used for pretreatment at the Loudoun County Transit Maintenance and Operations Facility site and will be detailed at final site plan.

3. Prior to special exception approval, staff recommends confirmation of wetlands and Waters of the United States on site by a jurisdictional determination, and avoidance of wetland areas. If a permit for wetland impact is required, and the threshold for compensatory mitigation is exceeded, staff encourages mitigation of these impacts in close proximity to the project area, consistent with federal and state permitting requirements. Staff is available to work with the applicant on this issue.

Applicant has submitted for a jurisdictional determination and is awaiting final confirmation.

4. Staff encourages a stormwater design that can achieve Site Selection Credit 6.1, stormwater quantity, of Leadership in Energy and Environmental Design (LEED). This credit is recognized by LEED-2009 as a "regional priority credit," meaning that earning this LEED point counts as two points. Further, the credit includes an exemplary credit option, potentially making this credit worth three points. Accordingly, staff recommends the following:

Applicant is not pursuing LEED at this time but appreciates the comments and will make efforts to incorporate these principles at site plan

- If the drainage area to the pond equals or exceeds 50 percent, then include sufficient treatment capacity to reduce the storm volume from a 2-year, 24-hour storm by at least 25 percent. If the drainage area is less than 50 percent, then provide treatment capacity to maintain existing 1- and 2-year, 24-hour storm events' peak discharge rate and volume of flow.

Comment acknowledged.

- Maintain stream flow along the entire channel downstream of the existing pond outfall, while also restoring the stream channel. The proposed pond outfall will likely be located downstream of the existing pond outfall, thereby depriving a stream segment of flow, considered an "indirect impact" on wetlands and Waters of the United States. Staff recommends routing some (treated) storm runoff along the entire channel segment to maintain hydrology. Staff has also observed degraded channels along this stream and encourages restoration of the channel as part of this project. Such a commitment in addition to meeting SS Credit 6.1 could qualify as exemplary credit. Finally, such an approach may be eligible for state grant funding. Staff can work with the applicant on this recommendation.

Comment acknowledged.

PARKS & RECREATION

No objections to the approval of this application as presented.

HEALTH DEPARTMENT

No comment to the proposal

LOUDOUN COUNTY ARCHAEOLOGIST

No further archaeology work is recommended.

LEESBURG EXECUTIVE AIRPORT

Prevent this pond from becoming a bird attractant. Plant trees around circumference of the pond or shrubbery so as to make the pond unattractive for birds to land.

Comment acknowledged, planting plan will be detailed at site plan.

TOWN OF LEESBURG

Staff recommends planting trees along the driveway and in the vicinity of the stormwater management facility as practicable.

Comment is noted

OFFICE OF TRANSPORTATION SERVICES

No objections to the approval of this application as presented.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,



Rich Brittingham, RLA
Dewberry